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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

VINT WADE, DONNA WADE, and
STEVEN WILLING,

Defendants.

**MOTION FOR LEAVE TO DISMISS
THE INDICTMENT WITH PREJUDICE**

Case No. 4:23-cr-00077-DN-DAO

District Judge David Nuffer
Magistrate Judge Daphne A. Oberg

The United States of America, by and through the undersigned Assistant United States Attorney, pursuant to [Fed. R. Crim. P. 48\(a\)](#), hereby moves this Court for leave to dismiss the Indictment¹ with prejudice.

The reason for dismissal is the culmination of errors in this case. Misidentification of confidential informants, misrepresentations, and erroneous inferences and conclusions derived therefrom are contained in the initial search warrant affidavit signed in December 2022. These errors and misidentifications were repeated in subsequent search warrant affidavits and in

¹ [Docket no. 1](#), filed September 27, 2023.

conversations with defense counsel. The errors were also unknowingly included in the United States' Response to Motion.² The United States became aware of these problems through information provided by defense counsel and the United States' resulting conversations with the investigating agent. After thoroughly reviewing the case, the United States believes it is in the interest of justice to dismiss the Indictment³ with prejudice.

DATED this 16th day of August, 2024.

Respectfully submitted,

TRINA A. HIGGINS
United States Attorney

/s/ Ruth Hackford-Peer
RUTH HACKFORD-PEER
Assistant United States Attorney

² [Docket no. 168](#), filed July 17, 2024.

³ *Id.*